

**HEARING AND SPEECH EXAMINING BOARD
REGULAR MEETING
JUNE 10, 2002**

MEMBERS PRESENT: Steven Harvey, MD; Joseph Hulwi; Gerard Kupperman; Raymond Rattner; William Starke and Michael Thelen

MEMBERS EXCUSED: Mae Cash

STAFF PRESENT: Deanna Zychowski, Bureau Director; Ruby Jefferson-Moore, Legal Counsel, Grace Schwingel, Program Assistant

CALL TO ORDER

Gerard Kupperman called the meeting to order at 2:15 p.m. A quorum of six members was present. The Board expressed sympathy relating to the death of Judith Kulpa and noted that she will be greatly missed by the Board.

APPROVAL OF AGENDA

Amendments: Discussion of possible rule revision pertaining to unprofessional conduct, relating to patient confidentiality.

The Board also noted additional handouts relating to the Governor's appointment of Lynn L. Reinemann and relating to the "Guidelines for the Training, Credentialing, Use, and Supervision of Speech-Language Pathology Assistants." (See Agenda Item D)

MOTION: Michael Thelen moved, seconded by Joseph Hulwi, to amend the agenda, as noted above. Motion carried unanimously.

MOTION: Michael Thelen moved, seconded by Raymond Rattner, to accept the amended agenda. Motion carried unanimously.

MINUTES OF MARCH 18, 2002

The Board noted that a correction is needed on page 4 of the minutes, showing that the Board agreed to issue Paula Hoffman a speech-language pathologist license, not a hearing instrument specialist license.

MOTION: Joseph Hulwi moved, seconded by Michael Thelen, to approve the minutes of March 18, 2002, as amended. Motion carried unanimously.

SECRETARY OSCAR HERRERA

Secretary Oscar Herrera expressed sympathy at the death of Judy Kulpa and said that the Department will be working to have the position filled as quickly as possible. Secretary Herrera also discussed the newsletter, entitled "Open Session," the survey that was sent to Board

members, the Board Member Workshop, and several budget issues relating to the Governor's and the Department's budget. Secretary Herrera also talked about DOE cases. He encouraged the Board members to let him know of any issues that concern them, either through Deanna Zychowski or directly to him.

**PRESENTATION OF PROPOSED STIPULATION IN THE MATTER CONCERNING
ANDREW ARNOLD BY ATTORNEY MIKE BERNDT**

Mike Berndt presented information regarding the proposed stipulation relating to Andrew Arnold. Joseph Hulwi was the Case Advisor. The Board subsequently deliberated on this matter in Closed Session.

**PRESENTATION OF PROPOSED STIPULATIONS THAT MAY BE SIGNED AFTER
MAILING OF AGENDA**

None

**SUMMARY REPORT ON PENDING COURT CASES, DISCIPLINARY CASES AND
ADMINISTRATIVE RULES**

For informational purposes.

**REVIEW REQUEST FROM WISCONSIN ALLIANCE OF HEARING
PROFESSIONALS FOR ADOPTION OF A BOARD RULE RELATING TO
ALLOWING HEARING INSTRUMENT SPECIALISTS TO USE
OVER-THE-COUNTER EARWAX REMOVAL PRODUCTS**

The Board referred to correspondence, received from Douglas Q. Johnson, Executive Director & General Counsel of the Wisconsin Alliance of Hearing Professionals, dated May 20, 2002. The Board also noted the responses received from other states to a survey that Deanna Zychowski had sent to them. The Board discussed the pros and cons of this proposed policy change and noted that it relates to the scope of practice of members of the profession. One alternative that was noted was that the Alliance could go to the Legislature and seek changes to the scope of practice.

The Board directed Ruby Jefferson-Moore to write a response to Mr. Johnson. The letter should indicate what the issues are and should encourage the Alliance to contact members of the legislature. The letter should also reference the appropriate statute and provide an interpretation of that statute.

DISCUSSION OF A PROPOSED SCOPE STATEMENT FOR HAS 6

The Board noted that HAS 6.14 (3)(a) has recently been revised and discussed additional changes to it. One issue is to decide whether to be consistent with ASHA or not. Gerard Kupperman agreed to contact Kelly Appller for more information. Ms. Appller had send a 12-page document on June 10, 2002, entitled "Guidelines for the Training, Credentialing, Use, and Supervision of Speech-Language Pathology Assistants." The Board will discuss this matter at a future meeting.

ADDITION TO AGENDA RE: UNPROFESSIONAL CONDUCT RELATING TO PATIENT CONFIDENTIALITY

The Board discussed the language in the current rules, relating to this issue and the possibility of putting everything relating to it in one place in the rules, so it is not necessary to hunt for the provisions. The Board also discussed the possibility of putting something in the written exam about this issue.

Ruby Jefferson-Moore agreed to work on a draft of the rules for the next meeting. She noted that first a scope statement is needed.

REVIEW OF COVENANT REHABILITATION SERVICES CE COURSES FOR NOVEMBER 2, 2002

The Board discussed various issues, such as the method of instruction and compliance records.

“Internet Courses” should be placed on the next agenda.

MOTION: Michael Thelen moved, seconded by Joseph Hulwi, to approve the course. Motion carried unanimously.

The Board informally agreed that Deanna Zychowski should write to all providers and ask what procedures they use for signing people in.

NCSB NATIONAL MEETING – ST. LOUIS – OCTOBER 18-19-2002

MOTION: Joseph Hulwi moved, seconded by William Starke, to approve sending Gerard Kupperman to the national meeting in St. Louis on October 18-19, 2002. Motion carried unanimously.

REGULATORY DIGEST

Ruby Jefferson-Moore will write an article for the Regulatory Digest. Something can also be written about new Board member, Steven Harvey, MD

CLOSED SESSION

MOTION: Michael Thelen moved, seconded by Joseph Hulwi, to recess to closed session pursuant to Chapter 19.85(1)(a), (b), (f) and (g), Wis. Stats., in order to consider an application review, correspondence relating to the renewal of license and of continuing education requirement from licensee, deliberation of proposed stipulation of Andrew Arnold of West Salem, deliberation of proposed stipulations signed after mailing of the agenda (if any), review of correspondence relating to the an administrative warning received after the mailing of the agenda, the Case Status Report received from DOE, and the examination results received from Raymond Brown.

Roll call vote: Gerard Kupperman – yes; Joseph Hulwi – yes; Raymond Rattner – yes; William Starke – yes; Michael Thelen – yes; Steven Harvey - yes. Motion carried unanimously.

Open session recessed at 3:40 p.m.

The Board deliberated on the issues listed in the motion to go into Closed Session.

RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

MOTION: Joseph Hulwi moved, seconded by Michael Thelen, to reconvene into Open Session at 4:25 p.m. Motion carried unanimously.

APPLICATION REVIEW – MICHELE BJELLA

MOTION: Joseph Hulwi moved, seconded by William Starke, to deny the application of Michele Bjella, based upon unlicensed practice and to inform Ms. Bjella that she may contact DOE for follow-up. Motion carried unanimously.

CORRESPONDENCE RELATING TO RENEWAL OF LICENSE WITHOUT COMPLETION OF CE REQUIREMENT FROM LICENSEE

MOTION: Michael Thelen moved, seconded by Joseph Hulwi, to request that Deanna Zychowski send a letter to Deborah Hansen, informing her that she must complete the continuing education requirements by the December 2nd Board meeting and submit proof of completion of 20 make-up and 20 current continuing education credits. Motion carried unanimously

DELIBERATION OF PROPOSED STIPULATION

ANDREW ARNOLD

MOTION: Raymond Rattner moved, seconded by Michael Thelen, to accept the Findings of Fact, Conclusions of Law, Order and Stipulation, relating to Andrew Arnold. Motion carried unanimously. (Joseph Hulwi abstained from voting.)

DELIBERATION OF PROPOSED STIPULATIONS THAT MAY BE SIGNED AFTER MAILING OF AGENDA

None

REVIEW OF CORRESPONDENCE RELATING TO ADMINISTRATIVE WARNING

Necia B. Walczak did not appear and she withdrew her request for a review.

DIVISION OF ENFORCEMENT – CASE STATUS REPORT

98 had 010. The Board discussed the progress of this case with Barry Wanner and requested that it be resolved by September 2002.

98 had 013. The Board discussed the progress of this case and requested that it be resolved by September 2002.

DELIBERATION OF PROPOSED ADMINISTRATIVE WARNINGS RECEIVED AFTER MAILING OF AGENDA

None

EXAMINATION ISSUES AND RESULTS – RAYMOND BROWN

Casey Brown addressed the Board and handed out a sheet showing the results of the June 2002 HIS exam. Gerard Kupperman asked Mr. Brown to give the Board a breakdown of the number of graduates for as long as the Department has records. The breakdown should be by profession.

MOTION: Joseph Hulwi moved, seconded by Raymond Rattner, to license those who passed the exam. Motion carried unanimously.

OTHER BOARD BUSINESS

98 had 010 – Ray Rattner expressed concern about the communications with the DOE attorney, relating to this case.

ADJOURNMENT

MOTION: Michael Thelen moved, seconded by Raymond Rattner, to adjourn the meeting at 4:32 p.m. Motion carried unanimously.